



# PRESS RELEASE

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New York State  
Unified Court System

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## **Chief Judge Janet DiFiore Presents Her State of Our Judiciary Address, Highlighting Further Progress to Eliminate Case Delays, Announcing Additional Reforms to Enhance the Delivery and Quality of Justice in NY**

**Bronx, New York** – Chief Judge Janet DiFiore today delivered her third “State of Our Judiciary” address, returning to the Bronx, where, in a departure from the traditional venue of Albany’s Court of Appeals Hall, she presented her first such address as New York’s Chief Judge in 2017. While she gave her first State of Our Judiciary address here to point to the case delays plaguing the Bronx, this year she chose the borough to underscore its turnaround in reducing criminal and civil case backlogs, as well as its leading role in the launch of an innovative case management program for felonies. “We are so pleased to be back here today to report on the significant progress that our judges and their staff have made to improve the delivery of justice here in the Bronx and all around the State,” she said at the opening of today’s address.

Judge DiFiore went on to cite large reductions in the number of the oldest misdemeanor cases in New York City—including an impressive 84 percent reduction in the Bronx, from 2,375 cases to 377 cases—since the 2016 launch of her signature Excellence Initiative, which has focused on maximizing the efficiency of court operations and enhancing the quality of judicial decision-making and court services. Elsewhere in New York City, the oldest misdemeanor cases have been cut by 85 percent in Manhattan; by 72 percent in Staten Island; by 43 percent in Brooklyn; and by 27 percent in Queens.

She also reported on significant progress outside New York City, in Long Island's District Courts, where the oldest misdemeanor cases were reduced by over 53 percent since the start of the Excellence Initiative; and in the City Courts in upstate New York, where the number of misdemeanors pending over standards and goals (the court system's internal time tables for resolving cases) went down by 54 percent since the start of the Excellence Initiative, highlighted by decreases of 73 percent in the Fourth and Sixth Judicial Districts, 74 percent in the Eighth Judicial District and 65 percent in the Ninth Judicial District.

Moving on to felony case management, she cited remarkable improvement outside New York City, where the number of felony cases pending over the six-month standards and goals benchmark was cut by 61 percent since the start of the Excellence Initiative, underscored by reductions of 90 percent in the Ninth Judicial District, 82 percent in the Seventh Judicial District, 75 percent in Suffolk County and 54 percent in the Eighth Judicial District.

Judge DiFiore talked of more modest gains in New York City, calling the Bronx "a bright spot"—with the number of felonies one year and older reduced by 45 percent since the Excellence Initiative's launch—also noting a 76 percent decline in Queens in the number of felony cases over two years old. "But we still have a long way to go ... that is why, on January 2, here in the Bronx, we launched our Special Term Additional Resources Team (START) Program, targeting the 100 oldest felony cases involving jailed defendants, all of whom had been incarcerated for at least two years ... The START team has done a fantastic job. In just eight weeks, they resolved the 100-case backlog and are now taking on and resolving additional older felony cases," she said, announcing plans to replicate the initiative in Manhattan in the coming weeks.

Regarding the court system's civil caseload, which comprises a variety of matters that include personal injury, guardianship, divorce, foreclosure and complex commercial cases, among others, Judge DiFiore stated, "The timely adjudication of civil matters is of the highest importance. Litigants who bring their disputes to our courts often do so as a last resort, after everything else has failed. They want closure and resolution, so they can move forward with their lives, their businesses and their families."

The Chief Judge again pointed to Bronx County's impressive progress, where last year jury trials in its Supreme Court-Civil Term were up by 42 percent, over 5,000 more motions were decided than filed and late-decided motions were down by 37 percent. "In fact, the number of cases on the calendar awaiting trial in the Bronx was reduced by 24 percent last year alone," she reported.

Addressing the opioid crisis, Judge DiFiore noted there are now 11 opioid intervention courts statewide and plans to open 10 more this year. These courts work to stabilize and save the lives of high-risk drug offenders through immediate intervention, close case management and deferral of prosecution pending successful completion of treatment. "Our goal is to operate at least one opioid court in every county of New York City and one in every Judicial District in the State, with each tailored to local resources and conditions," she said.

With criminal justice reform dominating the airwaves, the Chief Judge emphasized the court system's commitment "to working with Governor Cuomo, the leadership and members of the State Legislature, District Attorneys and the defense bar on common sense reforms, especially with regard to our bail laws, criminal discovery and speedy trial issues." She reported that the Justice Task Force, which includes all the main players in the criminal justice system, recently reached a true consensus on bail reform. "After careful study, the Task Force has endorsed the legal presumption that defendants facing misdemeanor and certain non-violent felony charges should be released without imposing bail," she noted.

Judge DiFiore also called for an adjustment to the compensation rates paid to private attorneys appointed by the court to represent indigent criminal defendants, and children and parents in Family Court, who have not received an increase since 2004. "Failure to adequately compensate these lawyers obviously harms those in need of representation," she said, adding that nearly a third of the lawyers serving on attorney-for-the-child panels have dropped out of the program over the last five years, leading to more delays in many family courts across the State. The Chief Judge said she will be sending a formal request to the Governor and Legislature urging that action be taken to adjust the compensation rates paid to attorneys for assigned counsel work in New York State.

Among the other court system initiatives announced today are expansion of early court-sponsored mediation, with most civil cases automatically presumed eligible for court-sponsored mediation, to speed the justice process and reduce litigation costs; development of a plan toward ensuring effective legal representation for indigent parents in child neglect and other Family Court proceedings, based on the recommendations of a commission the Chief Judge appointed last February to address the current state of mandated representation, which is overwhelmed and underfunded; a comprehensive, six-year modernization program to ensure that courtrooms throughout the state are equipped with the latest technology; and efforts to amend the State Constitution to create a two-tiered court system—simplifying the fragmented, outdated structure of 9 separate trial courts now in place—that would streamline court operations, lower litigation costs, enhance access to courts, and improve the delivery and quality of justice for all New Yorkers.

In closing, Judge DiFiore said, “The state of our Judiciary is growing stronger with every passing day. Our judges and court staff are not only working hard but employing new and different approaches to improve the delivery of justice. They are encouraging respect and trust in the Judiciary and sending a clear message that this independent branch of government can be counted on to do the people’s business—without fear or favor, and with all due speed and alacrity.”

For a copy of the 2019 State of Our Judiciary, including a progress report on the Excellence Initiative, or to view a webcast of the address, go to:

[www.nycourts.gov/admin/stateofjudiciary/](http://www.nycourts.gov/admin/stateofjudiciary/)

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